

ATTACHMENT A

Remarks

By this Amendment, independent claim 1 has been amended for clarity and to better define the invention. Dependent claim 7 has also been amended for clarity and claim 12 for proper dependency, while claims 5-6 and 8-12 which are now inconsistent with claim 1 have been canceled. It will also be noted that non-elected claims 15-47 have also been canceled for convenience and without prejudice for filing the same or similar claims in a continuation application. It is submitted that the present application is in condition for allowance for the following reasons.

In section 3 of the Detailed Action, claims 1-14 were rejected under 35 USC § 112 section for being indefinite. By this Amendment, the problems noted by the examiner in claims 1 and 7 have been corrected in a self-evident manner. It is therefore submitted that this rejection has now been overcome.

In section 7, independent claim 1 and dependent claims 2, 4-5, 7-10 and 13-14 were rejected under 35 USC § 102 as being anticipated by the Sosnowski patent. Further, in section 8 dependent claims 3 and 6 were rejected under 35 USC § 103 as being obvious over the Sosnowski patent, while in section 9 claims 11-12 were rejected as being obvious over the Sosnowski patent in view of the Benn patent. However, for the following reasons, it is submitted that amended independent claim 1, and claims 2-4, 7 and 12-14 dependent therefrom, are all allowable over these references.

As now amended, independent claim 1 recites that the flat low friction cord includes a flexible and flat core made of polyvinyl chloride (as previously recited in claim

11) and a knitted cover with yarns having a denier of 1500 (as previously recited in claim 6). Further, it is now recited that the cord is a noise and vibration dampening cord. Thus, the rejection of this claim will be discussed with respect to the rejection over the Sosnowski patent and the Benn patent.

As evident from the examiner's descriptions of the references, it will be appreciated that neither the Sosnowski patent nor the Benn patent teach, either singly or in combination, the three features as noted above. While the choice of denier is alleged by the examiner to be the result of a simple optimum value determination, this allegation ignores the subjective nature of the choice where the environment of use (as a noise and vibration dampening cord) and the contrasting needs for the cord in that environment must be considered. Therefore, such a choice is not mere routine and hence is not obvious. Further, while the Benn patent discloses the use of PVC, it is for use with an electromagnetic interference shielding gasket. It would hardly be expected that those of ordinary skill in the art, when considering a low friction noise and vibration dampening cord for an automated roller door, would look to electromagnetic interference shielding art for guidance. Thus, while it is not disputed that PVC is an old and known material, there is nothing in the Benn patent to suggest the use of this material in a low friction cord for an automated roller door, and though perhaps in the particular different environment of the Sosnowski patent such a combination of a different cord might be obvious.

Therefore, for all of the foregoing reasons, it is submitted that amended independent claim 1 is neither disclosed nor made obvious by the Sosnowski patent or

the Benn patent taken singly or in combination. For these same reasons, it is submitted that dependent claims 2-4, 7 and 12-14 dependent therefrom are also allowable.

The remaining reference which was cited but not applied has been reviewed but is not believed to be pertinent to the patentability of the present invention.

For all of the foregoing reasons, it is submitted that the present application is in condition for allowance and such action is solicited.